

Permitting & Assistance Branch Staff Report
New Solid Waste Facilities Permit for Griffith Park Composting Facility
SWIS No. 19-AA-0855
March 10, 2011

Background Information, Analysis, and Findings:

This report was developed in response to the City of Los Angeles Local Enforcement Agency (LEA) request for Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed new Solid Waste Facilities Permit (SWFP) for the Griffith Park Composting Facility, SWIS No. 19-AA-0855, located in the City of Los Angeles, Los Angeles County owned and operated by the City of Los Angeles Bureau of Sanitation. The permit is to replace the facility's existing registration permit. A copy of the proposed permit is attached. The report contains Permits and Certification Division staff's analysis, findings, and recommendations.

The proposed permit was received on January 3, 2011. Revised versions of the proposed permit were received on January 25 and March 8, 2011. Action must be taken on this permit no later than May 7, 2011. If no action is taken by May 7, 2011, the Department will be deemed to have concurred with the issuance of the proposed permit.

Proposed Changes

The following changes to the permit are being proposed:

	Current Permit (1997 Registration Permit)	Proposed Full Permit
2. Name and Mailing Address of Operator	City of Los Angeles Bureau of Sanitation 419 S. Spring Street #800 Los Angeles, CA 90013	City of Los Angeles Bureau of Sanitation 1149 South Broadway, Room 800 Los Angeles, California 90015
3. Name and Mailing Address of Owner	City of Los Angeles Bureau of Sanitation 419 S. Spring Street #800 Los Angeles, CA 90013	City of Los Angeles Bureau of Sanitation 1149 South Broadway, Room 800 Los Angeles, California 90015
4.c. Permitted Cubic Yards per Operating Day	100 Cubic Yards/Day	200 Cubic Yards/day
4.d. Permitted Traffic Volume	13-15 Vehicles Per Day	15 Vehicles Per Day
4.e. Permitted Area	Total Area: 1.25 acre Operating Area: 1 acre	Total Area: 1.25 acre Composting Area: 1.25 acre
12. Legal Description of Facility		Portion of Lot 38 of the Rancho Los Feliz Tract 34.15055, -118.29833 (Latitude & Longitude)
13. Findings		<p>a. The facility is identified in the City of Los Angeles Non-Disposal Facility Element. <i>[Public Resources Code (PRC), Section 50001 (a)(2)]</i>.</p> <p>b. This Permit is consistent with standards adopted by the California Department of Resources Recycling and Recovery (CalRecycle). <i>[PRC, Section 44010]</i>.</p>

		<p>c. The design and operation of the facility is in compliance with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the Local Enforcement Agency (LEA). [PRC, Section 44009].</p> <p>d. The local fire protection agency, the Los Angeles City Fire Department, has determined that the facility is in conformance with applicable standards as required in PRC, Section 44151.</p> <p>e. On January 14, 1997, the Bureau of Sanitation issued the original Notice of Exemption for the establishment of the permanent Griffith Park Composting Facility. The City of Los Angeles Local Enforcement Agency has determined that the solid waste facility permit is being issued to replace the registration permit that was issued on April 3, 1997 without any changes to the facility's permit limits or operations. The LEA has determined that pursuant to 14 CCR, Section 15301 that this application would fall under Categorical Exemption, Class 1 – Existing Facilities. This Categorical Exemption allows for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing private facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination.</p> <p>f. Based on the Report of Composting Site Information (RCSI) dated October 19, 2010 and revised November 9, 2010, the LEA is satisfied that this facility will provide measures to adequately control noise levels, gas/odor nuisances, traffic congestion, litter nuisances, and vectors such that there will be no significant impact on the local residences.</p>
14. Prohibitions		<p>The permittee is prohibited from accepting any liquid waste, non-hazardous wastes requiring special handling, designated waste or hazardous waste, and unless the acceptance of such waste is authorized by all applicable permits. In the event that hazardous or suspected hazardous wastes are brought into the facility, the operator is required to follow procedures for obtaining information, notification, handling and disposal as outlined in the RCSI.</p> <p>The permittee is additionally prohibited from the following items or activities:</p> <ul style="list-style-type: none"> - Acceptance of solid waste materials not included in the approved RCSI, - Acceptance of treated wood or wood treated with lead based paint, - Acceptance of liquid waste, containerized or not, - Acceptance of radioactive wastes - Scavenging or open burning, - Acceptance of slurries, untreated medical waste, or dead animals.

		<table><thead><tr><th>Document</th><th>Date</th></tr></thead><tbody><tr><td>Report of Composting Site Information (RCSI)</td><td>Oct 19, 2010 Revised Nov 9, 2010</td></tr><tr><td>Local & county Ordinances</td><td></td></tr><tr><td>Municipal Code</td><td></td></tr><tr><td>Identification in Non-Disposal Facility Element</td><td>Jul 2002</td></tr><tr><td>Finding of Conformance - LA Co SWTF</td><td>May 15, 1997</td></tr></tbody></table>	Document	Date	Report of Composting Site Information (RCSI)	Oct 19, 2010 Revised Nov 9, 2010	Local & county Ordinances		Municipal Code		Identification in Non-Disposal Facility Element	Jul 2002	Finding of Conformance - LA Co SWTF	May 15, 1997
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15. The following documents also describe and/or restrict the design and operation of this facility														
16. Self Monitoring: Results of all self monitoring programs as described in the RCSI will be reported as follows: (The monitoring reports are delinquent 30 days after the end of the reporting period)		<p>All program reports due to the LEA Monthly, Due by the 15th of each month.</p> <p>Program: The types and quantities of green material, zoo doo (animal manure and wood chips) and biosolids received <u>each day</u>. The operator shall maintain these records on the facility's premises for a minimum of one year and made available to any Enforcement Agencies' personnel on request.</p> <p>The quantity of finished compost and residual removed from the facility each day.</p> <p>The number and type of vehicles using the facility per day.</p> <p>All incidents of unlawful disposal of prohibited materials and the operator's actions taken. Indicate those incidents which occurred as a result of the random load checking program.</p> <p>Copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints. (Notification to the LEA within one day following the complaint is also required.)</p> <p>The quantities and types of hazardous wastes, untreated medical wastes, or otherwise prohibited wastes found in the waste stream and the disposition of these materials.</p> <p>Sampling results for pathogenic organisms and metals as required by 14 CCR, Chapter 3.1, Article 7.</p> <p>Reports of all special/unusual occurrences and the operator's actions taken to correct these problems.</p> <p>Record of receipt of a Notice of Violation from any regulatory agency. In addition, the operator shall notify the LEA <u>at once</u> following receipt of a Notice of Violation or upon receipt of notification of complaints regarding the facility, which have been received by other agencies.</p>												

<p>17. LEA Conditions</p>		<ul style="list-style-type: none"> a. This facility shall comply with all the State Minimum Standards for compostable materials handling facilities as specified in Title 14, California Code of Regulations (CCR). b. This facility shall comply with all federal, state, and local requirements and enactments. c. Information concerning the design and operation of this facility shall be furnished, in a timely manner, upon request by the LEA. d. The operator shall maintain a copy of this permit and RCSI at the facility so as to be available at all times to facility personnel and to Enforcement Agencies' personnel. e. The LEA reserves the right to suspend, modify or revoke this permit when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance. f. The operator shall notify the LEA, in writing, of any proposed significant changes in the routine facility operation or changes in facility design during the planning stages. In no case shall the operator undertake any changes unless the operator first submits to the LEA a notice of said changes at least 180 days before said changes are undertaken, and those changes are approved by the LEA. Any significant change as determined by the LEA would require a revision of this permit. g. The permitted maximum daily capacity of this facility has been determined to be 200 cubic yards per day of incoming material. h. The operator shall comply with all conditions and requirements as approved in the RCSI. i. The operator shall comply with all of the requirements of all applicable laws pertaining to employee health and safety. j. The site must be supervised by trained individuals with relevant experience at all times during operating hours. Supervisors and managers must have the authority to commit company resources in a timely manner to resolve emergency and non-emergency health, safety and environmental issues, if such action is necessary, to protect the health and safety of site employees and the nearby community.
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		<p>k. The operator shall maintain, at the facility, accurate <u>daily</u> records of the weight and/or volume of all incoming and outgoing materials. These records shall be made available to the LEA's personnel and to the CalRecycle personnel for inspection and shall be maintained on site for a period of at least three years.</p> <p>l. The operator must provide additional dust and odor control measures and other environmental and health/safety measures upon the request of the LEA if such measures, as provided in the RCSI, prove to be inadequate.</p> <p>m. Noise levels at the property boundaries shall be minimized and in conformance with the Chapter XI – Noise Regulations of the Los Angeles City Municipal Code.</p> <p>n. The operator shall provide daily cleaning of the entire transfer facility. If water is used as the cleaning agent, runoff from such wash downs shall not leave the site.</p> <p>o. Operational controls shall be established to preclude the receipt and disposal of hazardous waste and volatile organic chemicals or other types of prohibited wastes. The operator shall comply with the approved Hazardous Waste Load Checking Program. Any changes in this program must be approved by the LEA prior to implementation. The following Solid Waste Facility Permit conditions supplement those conditions:</p> <p>(1) The minimum number of random waste vehicle loads to be inspected daily at this facility is one (1). The LEA reserves the right to increase the required number of incoming waste load inspections.</p> <p>(2) The personnel training and load check procedures necessary for the program must be submitted and approved by the LEA. Visual inspections are to be performed by trained spotters and equipment operators. The LEA must review and approve this program and operation. Additional measures may be required upon the request of the LEA.</p> <p>(3) In the event that hazardous or suspected hazardous wastes are brought into the facility, the operator is required to follow procedures for obtaining information, notification, handling and disposal as outlined in the approved Load Check Program.</p> <p>(4) Suspected hazardous wastes must be properly labeled and stored in the</p>
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		<p>hazardous waste containment area, if they are stored overnight.</p> <p>(5) It is the responsibility of the facility operator to dispose of any prohibited materials (hazardous or suspected hazardous materials, liquid, sludges, radioactive or medical wastes) in accordance with all local, state and federal regulations.</p> <p>(6) Incidents of unlawful disposal of prohibited materials shall be reported to the LEA monthly as described in the monitoring section of this permit. In addition, the following agencies shall be notified immediately, after each occurrence, if applicable, of any incidents of illegal hazardous materials disposal:</p> <p style="padding-left: 40px;">I. Los Angeles County Fire Prevention Bureau, Hazardous Materials Division</p> <p style="padding-left: 40px;">II. Environmental Crimes Division, L.A. County District Attorney</p> <p style="padding-left: 40px;">III. California Highway Patrol</p> <p>p. The operator shall maintain a daily log of special/unusual occurrences. If there are no special occurrences for a given day, that day's entry shall read "none". This log shall include, but are not necessarily limited to:</p> <p style="padding-left: 40px;">Any loads refused entry into the facility, potentially live ammunition, fires, explosions, earthquakes, discharge of hazardous liquids or gases to the ground or the atmosphere, or significant injuries, accidents, or property damage.</p> <p style="padding-left: 40px;">Each of these log entries shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The operator shall maintain this log at the facility so as to be available at all times to site personnel and to the Enforcement Agencies' personnel. Any of these specified entries made in this log must be promptly reported to the LEA. Only authorized personnel can make entries into this log. If a situation arises that cannot be handled by facility personnel then call 911 or another outside emergency agency, as appropriate. The LEA shall be notified immediately after the appropriate outside emergency agency has been notified.</p>
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Findings:

All of the submittals and findings required by Title 27, Section 21685 have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements

have been met to support concurrence. The findings are summarized in table below. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained in the facility files maintained by the Division.

CCR Title 27 Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated November, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	The LEA completed a Five Year Permit Review on June 14, 2007, and provided a copy to the Department on June 21, 2007. At the time, the permit was at the Registration tier level.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facilities Permit	The LEA submitted a proposed solid waste facilities permit on March 8, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on January 3, 2011, provided a finding that the facility is consistent with PRC 50001 and Waste Evaluation & Enforcement Branch (WEEB) in the Jurisdiction Product & Compliance Unit found the facility is identified in the Siting Facility Element and with the Countywide Integrated Waste Management Plan, as described in the memorandum dated January 31, 2011.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on February 16, 2010. One violation of PRC 44014(b) - Operator Complies with Terms & Conditions was noted. See compliance history below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on January 25, 2011, that the proposed permit is consistent with and supported by the existing CEQA documentation. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and or Meeting, Comments	The LEA held a public information meeting on Monday, November 15, 2010, regarding the proposed new permit. No oral or written comments were received by the LEA or Department staff.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project, a proposed new Solid Waste Facilities Permit. Permits staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed new permit. See details below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

The facility was inspected by WEEB staff in the Inspections and Enforcement Agency Compliance Unit on February 16, 2011. One permit violation was noted.

Violation - PRC 44014(b) - Operator Complies with Terms & Conditions: The facility currently operates under a Registration Permit issued by the LEA on February 13, 2002. The Registration Permit and accompanying Registration Permit Application, dated January 15, 2002, provided a description of the facility with a peak loading of 100 cubic yards per day (50 cubic yards (cy) of green waste, 10 cy of animal manure and 40 cy of biosolids). Materials are typically delivered to the facility on Tuesdays and Thursdays where the materials are mixed and placed into a composting pile consisting of 50 cy of green waste, 20 cy of animal manure, and 21 cy of biosolids (based on 15 tons received and conversion factor of 0.7 ton/cy per the Report of Composting Site Information (RCSI), dated October 19, 2010).

Based on a review of the Daily Log Sheets for the last two months, two compost piles are built each Tuesday and Thursday as the compostable materials are available for a total of 182 cy of materials received on those days, which exceeds the 100 cy per day authorized in the Registration Permit. The operator will adjust the acceptance of the chipped and ground green material from the adjacent Department of Recreation and Parks Greenwaste Recycling Site (Facility No. 19-AR-5584) on days when the animal manure and biosolids are not received in order to keep the volume of material received per day to less than 100 cy as authorized by the Registration Permit until a new full Solid Waste Facility Permit (SWFP) is issued.

Below are the details of the composting facility's compliance history based on the LEA's monthly inspection reports during the last five years.

On February 16, 2011, the LEA also documented a violation for PRC 44014(b) for exceeding the 100 cy of material per day authorized in the Registration Permit, based on CalRecycle's inspection notes. No other violations were noted by the LEA within the last five years.

Environmental Analysis:

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed modified SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the City of Los Angeles, Bureau of Sanitation, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The Griffith Park Composting Facility currently operates under a Registration Solid Waste Facilities Permit, issued by the Local Enforcement Agency on February 13, 2002. The proposed Full Solid Waste Facilities Permit under consideration is to replace the existing Registration Solid Waste Facilities Permit to reflect actual operations without expansion to the facility's operational limits or activities.

Permitted cubic yards per operating day will increase from 100 to 200 cubic yards. This is not an increase in design capacity or facility size or area.

On January 14, 1997, the Bureau of Sanitation filed a Categorical Exemption, 14 CCR Section 15301, the project involves negligible or no expansion of use, to establish a permanent composting facility to utilize a mixture of chipped green materials, biosolids and manure generated at the Los Angeles Zoo and Botanical Gardens.

The composting facility is designed to compost the organic matter that is produced in Griffith Park. The park's greenwaste, zoo animal waste, and a small amount of biosolids are blended onsite and then composted. The finished product is then used throughout Griffith Park or sold to the public as TOPGRO. The facility is located on a 1.25-acre site approximately 10 miles north of downtown Los Angeles at 5400 Griffith Park Drive. The zoning designation of the site and within 1000 feet of the site's boundary is open space.

The City of Los Angeles Local Enforcement Agency completed a Preliminary Review on November 2, 2010, that indicated that the proposed project:

- Involves the continued operation of an existing facility, with no expansion
- Will have no reasonable possibility of significant environmental impacts
- Does not allow relaxation of standards leading to environmental degradation
- Will not contribute to cumulative impacts that are significant; and
- Will have no adverse substantial change in the significance of a historical resource.

The City of Los Angeles Local Enforcement Agency has provided a finding that the proposed Full Solid Waste Facilities Permit is consistent and supported by and exemption 25301 for Existing Facilities.

Department staff prepared a Preliminary Review to determine whether a Categorical Exemption is adequate for the Department's concurrence on this Full Solid Waste Facilities Permit. Department staff made the finding/determination that a Categorical Exemption, 14 CCR Section 15301 – Existing Facilities was adequate for the Department's concurrence in this proposed Full Solid Waste Facilities Permit. Staff's finding is based on the fact that there is "negligible or no expansion of use beyond that existing at the time of the lead agency's determination" to issue the Registration Tier permit in 1997. There is no expansion of use or change to the operation in that the facility presently accepts greenwaste, zoo animal waste and a small amount of biosolids on Tuesdays and Thursdays only, causing it to exceed its 100 cy Registration Permit allowance. The new permit will authorize the facility to accept 200 cy per day, correcting the ongoing violation, but under the proposed permit the facility will not accept a greater total amount of compostable material than it has been accepting under its Registration Permit. There is no change to the overall vehicle trips, which confirms that there is no increase in the amount of material received or handled at the site.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, prepare a Notice of Exemption, based on the Categorical Exemption for existing facilities (Section 15301), to be filed with the State Clearinghouse after the Department's concurrence in the Full Solid Waste Facilities Permit proposed by the LEA, in that the proposed permit is to be issued to an existing facility that will not expand or significantly change its operations from those authorized under the Registration Tier permit issued in 2002. Further, there are no grounds under CEQA for the Department to prepare an environmental document or assume the role of Lead Agency for its consideration of the proposed Solid Waste Facilities Permit.

Department staff further recommends the Categorical Exemption is adequate for the Director's environmental evaluation of the proposed project since there are no grounds under CEQA for the

Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed Solid Waste Facilities Permit. Department staff has reviewed and considered the CEQA findings of the City of Los Angeles Local Enforcement Agency. Department staff recommends the Categorical CEQA Exemption, together with the CEQA finding, is adequate for the Director's environmental evaluation of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the Local Enforcement Agency, the proposed Full Solid Waste Facilities Permit and all of its components and supporting documentation, this staff report, the Categorical CEQA Exemption adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed Full Solid Waste Facilities Permit. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Local Issues:

The project document availability, hearings, and associated meetings were extensively noticed consistent with the CEQA and SWFP requirements. A review from the public process indicates that environmental justice issues were not identified by the surrounding community (Census Tract 1882). 2000 census information indicates that the surrounding population is approximately 67.4% White, 4.9% African American, 0.4% American Indian or Native Alaskan, 16% Asian, 0.1% Native Hawaiian and Other Pacific Islander, 6.4% some other race, and 4.8% two or more races. 16.1% of the total population describe themselves as Hispanic or Latino. 9.2% of the families are below the poverty level. Staff has not identified any environmental justice issues related to this item. Staff finds the project and permit process to be consistent with Government Code Section 65040.12, as there has been fair treatment of people of all races, cultures, and incomes with respect to the proposed action being recommended above.

Public Comments:

The LEA held a public information meeting on Monday, November 15, 2010 at the Griffith Park - Friendship Auditorium Facility, located at 3401 Riverside Drive, in the city of Los Angeles. There was one member of the public attending. The LEA also provided a tour of the composting facility to a representative from the local chapter of the Sierra Club at which time he was able to ask questions regarding the facility. No official oral or written comments regarding the Griffith Park Composting Facility comments have been received by the Department or LEA staff.

Department Staff Actions:

Staff responded to questions from the LEA regarding the permit process. The Department provided an opportunity for public comment during the Monthly Public Meeting on March 15, 2011.